

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

TIGHT ENDS SPORTS BAR & GRILL, LLC,  
  
Debtor.

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§  
§ Case No. 23-42104-EB  
§  
§ Chapter 11-TXEB  
§  
§

SALT & PEPPER RESTAURANTS LLC,  
  
Plaintiff,

v.

TIGHT ENDS SPORTS BAR & GRILL, LLC  
and TIMOTHY DUNGAN,  
  
Defendants.

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§ Adv. No. 23-03245  
§  
§  
§  
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§

**MOTION TO REMAND PURSUANT TO 28 U.S.C § 1452; MOTION  
FOR MANDATORY ABSTENTION UNDER 28 U.S.C. § 1334(c)(2);  
OR, IN THE ALTERNATIVE, MOTION FOR PERMISSIVE  
ABSTENTION UNDER 28 U.S.C. § 1334(c)(1)**

**THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.**

**REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.**

For the reasons set forth in the concurrently filed brief in support of this Motion, Plaintiff Salt & Pepper Restaurants LLC (the “Plaintiff”) respectfully requests that the Court remand this

adversary proceeding to state court pursuant to 28 U.S.C. § 1452. Plaintiff also requests that the Court mandatorily abstain from hearing this adversary proceeding pursuant to 28 U.S.C. § 1334(c)(2), or in the alternative, abstain from hearing this adversary proceeding either in whole or in part under 28 U.S.C. § 1334(c)(1). Plaintiff requests this adversary proceeding be remanded in its entirety to the 56th Judicial District Court of Galveston County, Texas, Cause No. 22-cv-0675, styled *Salt & Pepper Restaurants LLC vs. Tight Ends Sports Bar & Grill, LLC and Timothy Dungan vs BankSouth*.

Respectfully submitted this 4th day of December, 2023.

**GRAY REED**

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*Counsel to Salt & Pepper Restaurants LLC*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on December 4, 2023, a true and correct copy of the foregoing document was served via the Court's CM/ECF filing system upon those parties who have so-subscribed, and upon the following persons via electronic mail and U.S. First Class Mail, Postage Pre-Paid (unless otherwise indicated.)

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